IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA Richmond Division

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PLAINTIFF,

v.

Case No. 3:18-cv-00039

CIRCLE 2, INC. d/b/a CANDY BAR,

DEFENDANT.

MOTION TO DISMISS

COMES NOW Circle 2, Inc. d/b/a Candy Bar ("Candy Bar"), by and through the undersigned legal counsel, and pursuant to Rule 12(b)(1) and Rule 12(b)(6) of the Federal Rules of Civil Procedure, hereby files this Motion to Dismiss, and in support of this Motion relies upon the facts and legal contentions set forth in the accompanying Memorandum filed in support, any reply brief which may be filed, and any arguments Defendant may make at the hearing before this Court regarding this Motion

E-mail:

Dated: February 13, 2018 Respectfully submitted,

CIRCLE 2, INC. D/B/A CANDY BAR

By:	/s/	
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CERTIFICATE OF SERVICE

I hereby certify that on February 13th, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Justin P. Keating, Esq. Beins, Axelrod, P.C. 1030 15th Street, N.W. Suite 700 East Washington, D.C. 20005

Notification of such filing will also be sent via First Class U.S. Mail to:

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CIRCLE 2, INC. D/B/A CANDY BAR

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